

## 2.2 Land Use

The Sunset Beach Land Use Plan is intended to implement the goals of the City of Huntington Beach General Plan and Local Coastal Program. Broadly stated, the goals for the area are to:

- Maintain and enhance the special character of Sunset Beach.
- Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and man-made resources.
- Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social economic needs of the people of the state.
- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

More specifically, the City of Huntington Beach Sunset Beach Land Use Plan proposes to carry forward the land use designations previously approved by the County of Orange and California Coastal Commission. However, for consistency with the City's General Plan, some of the designations are different in name, though the types of permitted uses are similar. These uses will also be governed by the more specific regulations of this Specific Plan, as set forth in Section 3.

The Sunset Beach Land Use Plan is illustrated in Exhibit 2.1. The Plan designates the ~~409-134~~ acre Specific Plan area as follows:

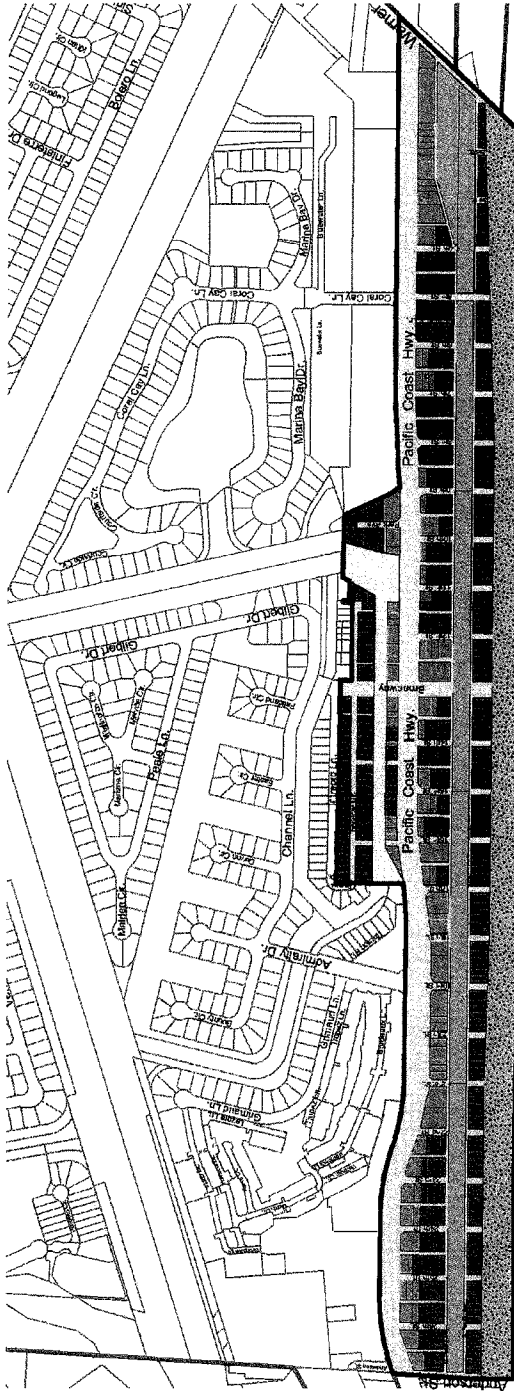
<u>Land Use Designation</u>	<u>Acres</u>
Residential High Density-30	22.32
Commercial Visitor-Mixed Use Overlay	9.16
Public	13.00
Open Space-Shoreline	<del>33.17</del> <u>57.74</u>
Open Space-Water Recreation	3.40
Right of Way	28.26
Total	<del>409.34</del> <u>133.88</u>

The Residential High Density designation has a General Plan/Local Coastal Program density category of greater than 30 units per net acre, denoted by “-30” to reflect the existing density condition of some parts of Sunset Beach. The Commercial Visitor designation has a Mixed Use (“-mu”) Overlay, which permits residential uses in conjunction with the underlying commercial designation. This is in recognition that the Specific Plan allows for residential units above the ground floor in the CV area.<sup>2</sup> In addition to the underlying land use designations, and the notations for RH and CV described above, the entire area has a Specific Plan Overlay (“-sp”) designation in recognition of the need and existence of a specific plan for the Sunset Beach area.

The City of Huntington Beach General Plan and Local Coastal Program also use Subarea designations to identify areas that are unique in the city, serve certain functions or have area-specific goals or regulations. The Sunset Beach Specific Plan area will be designated as Subarea 4L on the City’s Community District and Subarea Schedule in the General Plan and Local Coastal Program. Those Subarea Schedules refer the reader to this Specific Plan for development regulations.

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<sup>2</sup> The County’s existing Specific Plan allows residential uses above the ground floor in the Commercial Visitor (Sunset Beach Tourist District) area. A 2010 review of existing development in Sunset Beach indicates that there are approximately 80 residential units in the areas designated for principally commercial uses. ~~Of these, only approximately five units were located above commercial uses.~~



LEGEND

- |  |  |  |                           |
|--|--|--|---------------------------|
|  | Residential High Density               |  | Parcels                   |
|  | Commercial Visitor - Mixed Use Overlay |  | Right Of Way              |
|  | Public                                 |  | Huntington Beach Boundary |
|  | Open Space - Shoreline                 |  | Sunset Beach Boundary     |
|  | Open Space - Water Recreation          |  |                           |

-sp  
Specific Plan Overlay  
This designation applies to all Land Uses for this area.



Exhibit 2.1 Land Use Plan

## **Land Use Plan Guidelines**

The City's General Plan and Local Coastal Program contain numerous goals, objectives and policies that further and are consistent with the overall goals for the Sunset Beach area. However, due to the unique nature of Sunset Beach and the fact that it is already almost fully developed at the time that this Specific Plan is being created, previous Land Use Plan Guidelines contained in the original County of Orange Sunset Beach Specific Plan are being carried forward to the extent that they are still relevant.

The Land Use Plan Guidelines below are designed to: implement the Land Use Plan, specifically; carry out the intent of the General Plan and Coastal Act consistent with the desires of the community; and be a supplement to the City's General Plan and Local Coastal Program, which also contain relevant policies. The Guidelines consist of the Land Use Map (see Exhibit 2.1) and the following text:

### *Beach and Sand Area*

2.2.8 Existing beach and sand areas shall be maintained in their present form:

- i. to preserve the unique public recreational character of Sunset Beach; recreation shall be defined as passive and active recreation that is in conformance with the development guidelines of the Sunset Beach Land Use Plan.
- ii. in cooperation with the State Department of Fish and Game, to protect and preserve the natural habitat of spawning grunion, pismo clam and other shellfish beds, porpoise feeding and sporting grounds, feeding grounds for the California brown pelican, grebes, cormorants, terns, gulls and all other natural sea life and waterfowl.
- iii. to protect beachfront residences and maintain both public and private open ocean view and access.

2.2.9 The following shall be adhered to to maintain the existing beach and sand areas:

- i. Dredging and sand replenishment shall be scheduled during fall and winter months to reduce conflict with sunning, swimming and other shoreline water activities.
- ii. The city shall cooperate with the United States Army Corps of Engineers and other applicable agencies regarding all sand replenishment activities.
- iii. Sand replenishment shall be deposited at the northwest end of the beach in the area contiguous to the U.S. Navy Ammunition & Net Depot harbor groin, the point of primary and maximum erosion. From that point sand shall be distributed southeastward down the beach by natural wave and current action. This will avoid the destruction of natural marine life habitat. At the same time it will preserve the recreational character of the beach and the fine grain and cleanliness characteristic of alluvial ocean sands. Sand shall not be pumped directly on the beach within Sunset beach except in response to immediate danger to residences.

- iv. No government or private agency shall construct or cause to be constructed any structure including but not limited to jetties, groins, berms, etc., that may alter natural shoreline processes such as wave action, channel depths or general beach configuration except when such protective structures are required for existing structures or public beaches in danger of erosion.
- v. Permanent above-ground structures on the beach and sand areas shall be prohibited.
- vi. To fulfill visitor serving needs, to minimize personal injuries and to reduce liability, sanitation shall be maintained by properly and routinely cleaning and maintaining the beach and sand area from ocean edge to the artificial dune. The protective growth barrier shall be maintained by property owners.

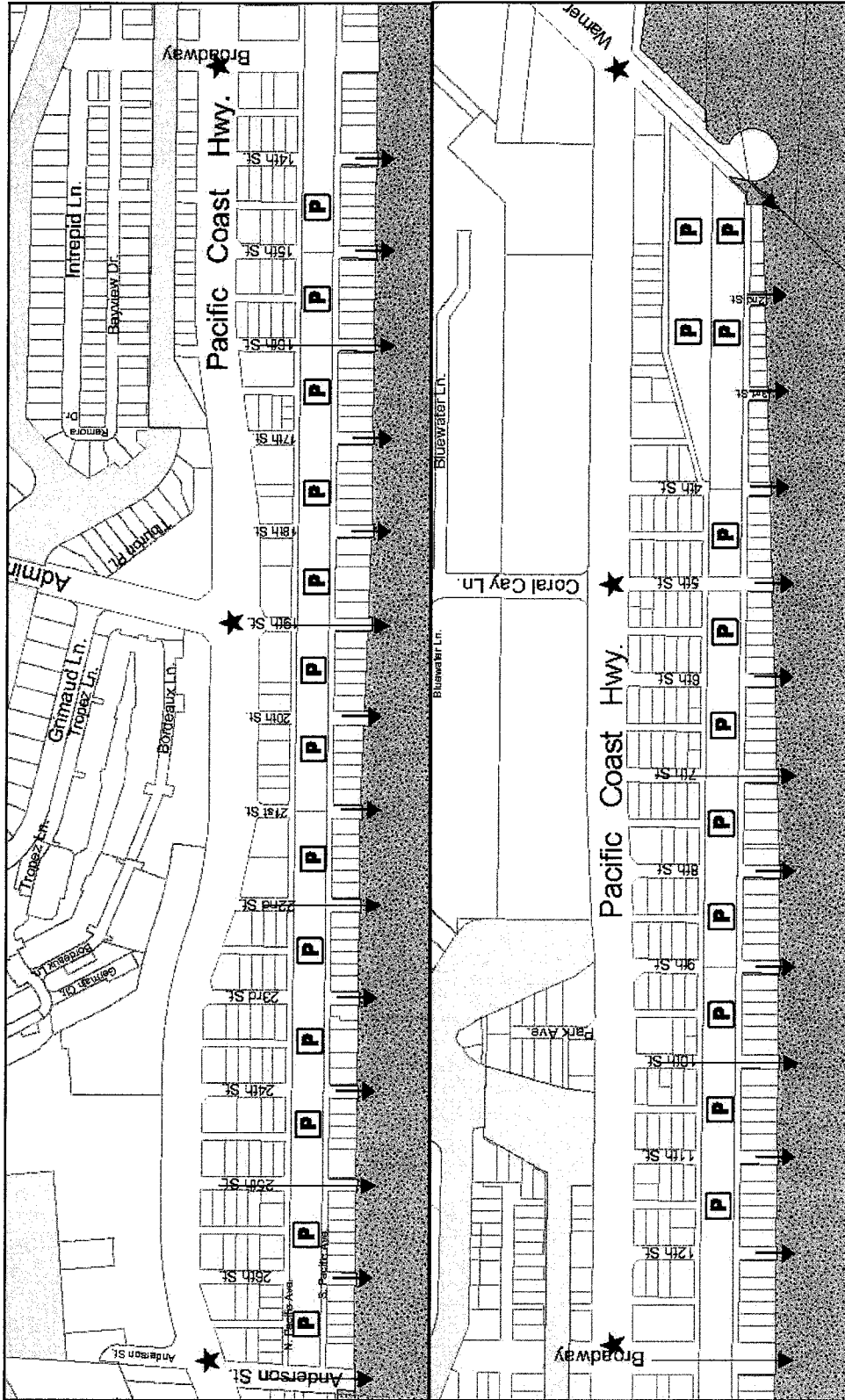
2.2.10 To protect residences and the Sunset Beach sanitary system from flood waters and excess wind-driven sand, to preserve that sand in the beach area thereby reducing replenishment costs, and to enhance the appearance of the benefit of visitors, preservation and maintenance of the artificial dune by residences shall be retained and encouraged, in keeping with Orange County Board of Supervisors Resolution Nos. 80-188 and 80-1057.

2.2.11 Scenic vistas shall be maintained, see Exhibit 2.2., Scenic Vista Viewpoints.

2.2.12 Public access to the beach shall be maintained.

- i. The 27 existing public access points to the beach shall be retained in perpetuity, see Exhibit 2.3, Existing Beach Access.
- ii. Signs denoting the Public Beach shall be maintained at the signalized intersections of Anderson Street, Broadway Avenue and Warner Avenue along Pacific Coast Highway. Signs shall not exceed four square feet.





#### LEGEND

- ↓ Access Points
- ★ Traffic Signal
- [P] Public Parking



Exhibit 2.3 Existing Beach Access

*Inland Waterways*

2.2.13 Inland Waterways shall be publicly accessible and maintained in a manner that is sensitive to the natural environment

- i. For greater use by the general public, all channels and public waterways in existence as of February 2, 1965, on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths, shall be maintained as public waterways. Location of bulkhead lines and encroachment areas shall be established and no structures shall extend beyond the bulkhead line except for ramps (gangways) and docks.
- ii. Every effort shall be made to protect and preserve existing natural sea life and waterfowl, and to maintain "clean" water.
- iii. To meet visitor-serving needs, the 11<sup>th</sup> Street public beach shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained.

*Visitor Serving Commercial*

2.2.14 Existing commercial facilities should be retained.

2.2.15 Should any existing residence presently on property designated for commercial use be destroyed, such may be rebuilt as a residence providing it conforms to the provisions of the residential guidelines.

2.2.16 Where commercial uses abut residential property, no balconies, decks or open areas intended for public use shall be allowed to infringe on adjacent residential property.

*Residential*

2.2.17 All legally created residential building sites shall be permitted only two dwelling units per site, unless approved otherwise prior to adoption of this Specific Plan.

2.2.18 Affordable housing shall be provided consistent with the City of Huntington Beach Zoning and Subdivision. Low/moderate cost rental units should be replaced when redevelopment occurs.

2.2.19 Conversion of multi-unit buildings into condominiums shall be allowed only if the building meets the Specific Plan standards.

2.2.20 Public service facilities shall be a permitted use in a residential use area.



## **2.3 Circulation**

### **Regional Transportation**

A network of freeways and arterial highways provide regional access for Sunset Beach. The major arterial regional facilities serving the community are Pacific Coast Highway and the San Diego Freeway. Arterial highways link these two facilities to each other and to Sunset Beach.

Several arterial highways connect Pacific Coast Highway with inland areas and the San Diego Freeway. Seal Beach Boulevard and Warner Avenue are both designated as major arterial (six lane, divided) highways and provide connections with Pacific Coast Highway at points north and south, respectively, of Sunset Beach.

The arterial highway network serves both the motorist and the public transit rider. Countywide and regional access via transit is designed primarily by the Orange County Transportation Authority (OCTA), which operates an extensive system of fixed routes and dial-a-ride service throughout Orange County. OCTA's service to the Sunset Beach area is quite extensive. OCTA route #1 utilizes Pacific Coast Highway between Long Beach/Seal Beach and San Clemente, providing north-south service to Sunset Beach. Three other OCTA routes terminate at Pacific Coast Highway and Warner Avenue at the southern end of Sunset Beach; they provide direct service to the beach from inland Orange County areas.

The Pacific Coast Bikeway follows Pacific Coast Highway and serves as a major north-south route within Orange County and the only bikeway adjacent and parallel to the coastline. Bikeways connecting to Pacific Coast Highway generally follow arterial highways. Seal Beach Boulevard and Warner Avenue both include bikeways. All of the above bikeways are included in the Master Plan of County-wide Bikeways.

### **Sunset Beach Transportation**

Most of the traffic utilizing Pacific Coast Highway in the vicinity of Sunset Beach is either passing through the area or destined to development adjacent to the community. The approximately 700 dwelling units and various commercial enterprises within Sunset Beach generate a relatively small portion of the trips using the Highway. For most of its length in the vicinity of Sunset Beach, Pacific Coast Highway is a four lane facility with painted median. Some additional development and redevelopment within Sunset Beach may occur, but the impact of this upon the arterial highway system should be minimal. However, increased development in the areas surrounding Sunset Beach and growing demand for access to coastal resources could further impact Pacific Coast Highway and the arterials leading to it.

Because of the constraints inherent in acquiring additional right-of-way for Pacific Coast Highway both within and outside of Sunset Beach, it may be impractical to provide additional travel lanes. Better utilization of the existing right-of-way is a more realistic possibility. As new development and redevelopment occurs, improvements can be made that provide for safe and convenient use of the Highway by pedestrians, bicyclists, and transit vehicles. Also, any new commercial development will have to provide off-street parking and be designed to minimize the number of direct access points to Pacific Coast Highway. An integrated traffic signal system

within Sunset Beach can facilitate the flow of traffic. Expanded transit service along Pacific Coast Highway and through the area, to be provided as demand warrants and as financial resources become available, should encourage additional transit use and might somewhat reduce traffic along Pacific Coast Highway. Pacific Coast Highway is operated and maintained by the State Department of Transportation (CalTrans). Thus, any improvement to the Highway is subject to their approval.

Local circulation within the Sunset Beach community is tied to parking opportunities and traffic control. Traffic patterns seaward of Pacific Coast Highway revolve around the parking facility located between North and South Pacific Avenues. Traffic movements on other streets are limited by narrow right-of-way and heavy on-street parking.

Although there are adequate parking spaces available to meet public, commercial, and residential parking demand, the distribution of available parking negatively affects the supply-demand balance, which causes deficiencies to occur in certain areas. To alleviate the problem, existing parking opportunities need to be retained within the community and maximized wherever possible. Adequate off-street parking will be required in conjunction with all new development or redevelopment of properties. Specific policies and guidelines relating to parking are included in this Specific Plan. Increased transit service and bicycling opportunities should provide access to beach uses without requiring such additional parking.

Local circulation and traffic safety will be enhanced by appropriate speed limits. It is expected that the existing 15 miles per hour speed limit on all Sunset Beach Streets, except Pacific Coast Highway, will be retained; however, speed limits must be periodically reviewed to be enforceable. Circulation and safety will also be enhanced by retention of the parking restrictions on North and South Pacific Avenues. Also, conversion of Bay View Drive to one-way operations will be evaluated as a means to improve circulation inland of Pacific Coast Highway.

Based on the foregoing, the following circulation policies shall be adhered to:

*Transportation/Circulation*

- 2.3.1 Speed limits shall be periodically reviewed and vigorously enforced on all local streets within Sunset Beach.
- 2.3.2 The City shall work with CalTrans to maintain and/or improve signal timing on Pacific Coast Highway.
- 2.3.3 The City will evaluate a proposal to widen North Pacific Avenue between signalized Warner Avenue and 5th Street to provide two-way traffic on such widened section. There shall be no condemnation of private property for such purposes.
- 2.3.4 The feasibility of converting local streets ~~west of Broadway~~, to one-way circulation shall be evaluated.
- ~~2.3.5. Public transportation facilities other than bus stops shall be located adjacent to the area of greatest public need (i.e. Bolsa Chica State Beach or Warner Avenue turnaround). Such facilities will mitigate the impacts, social or otherwise, of overcrowding or overuse by the public in the Sunset Beach area.~~

2.3.6—5 Required street and highway dedication and improvements normally required per the City Code are not applicable to the Sunset Beach Specific Plan area except for those properties abutting Pacific Coast Highway. However, street dedication for 4th through 26th Streets shall conform to the Typical Section for those streets, as shown in Exhibit 2.4, Typical Section.

2.3.7—6 Pacific Coast Highway is designated a “scenic highway.” To ensure that those scenic characteristics are enhanced, public and private projects shall, wherever feasible, provide landscaping wherever there is adequate space.

### *Parking*

~~2.3.82~~3.7 To the maximum extent feasible, to maximize visitor servicing needs and ensure public safety, the City shall encourage CalTrans to stripe Pacific Coast Highway to provide a safe width for parallel parking.

~~2.3.92~~3.8 All existing on-street parking shall be retained within Sunset Beach and wherever possible establish programs to maximize their use, except when public safety is compromised.

~~2.3.102~~3.9 There shall be no parking on North and South Pacific Avenues, except in front of driveways by permit only.

~~2.3.112~~3.10 In order to facilitate visitor serving needs, diagonal parking shall be allowed on Anderson Street and Broadway Avenue.

2.3.11 All street ends, except for emergency access, opening onto the beach shall be fully developed for public parking prior to any other public parking development.

2.3.12 Street ends on the inland side of Pacific Coast Highway will be evaluated for opportunities to develop public parking.

2.3.13 Innovative programs to maintain the existing parking supply in residential areas and to provide flexibility for commercial uses shall be encouraged.

2.3.14 Signage and parking control to manage parking supply shall be implemented.

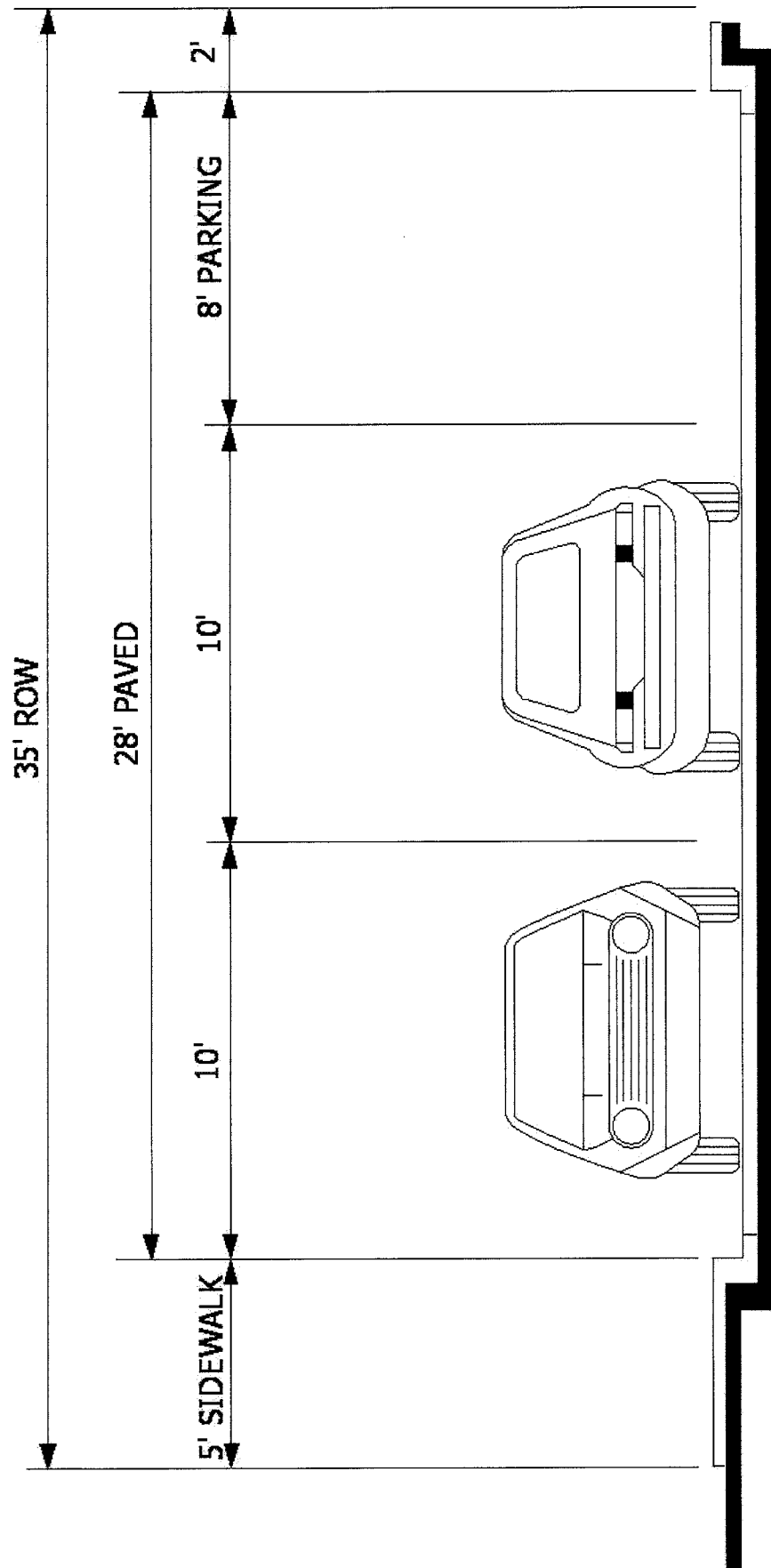


Exhibit 2.4 Typical Section

## **2.4 Flooding and Shoreline Structures**

The Federal Emergency Management Agency (FEMA) currently designates all of the developed area of Sunset Beach and a majority of the beach as Flood Zone X, which are areas of 500 year flood and areas of 100 year flood with average depths of less than one foot of flooding and areas protected by levees from 100 year flood. A small portion of the beach at the ocean edge is designated Flood Zone VE, areas of Coastal flood with velocity hazard.

Despite the Flood Zone X designation, flood damage in Sunset Beach can occur at times of abnormally high tides when waves overtop the berm and water flows towards the houses. Flood damage resulting from this process, called over-wash, can be reduced by raising the living area of the homes above the level of flowing water. Therefore, special design consideration must be given to development along the shoreline because ocean-water can create a flooding problem.

The County of Orange completed a Coastal Flood Plain Development Study, in 1985, to analyze safety measures for structures along the coast. Design guidelines for residential development along the coast are established in Chapter Four of the Coastal Flood Plain Development Study as amended. These guidelines are based on the assumption that the beach will be artificially maintained with a width of at least 150 feet from the ocean-facing private property line. Flowing water is the only design consideration. Should the beach retreat to less width, the possibility of storm erosion and breaking wave activity at the structures may occur and flood protection as regulated by these design guidelines will not provide protection from wave impact forces. Revised design guidelines must then be modified to reflect the circumstances.

The County designated the homes seaward of South Pacific Avenue as being in a –FP3 district, subject to flood hazard. The Coastal Flood Plain Development Study requires that any new structure in this area be raised to a specific height above a point on South Pacific Avenue. In addition to providing protection against flood damage, the requirement to build on piling along South Pacific Avenue provides a safety margin should conditions at Sunset Beach return to the way they were in the 1930s when homes were vulnerable to attack by waves. Homes on shallow footings can be rapidly damaged or destroyed if their sand support is lost to erosion. Existing lawful nonconforming residential uses may be severely impacted by the Coastal Flood Plain Development Study and will require special consideration.

The publicly owned Sunset Channel has been privately bulkheaded and the streets and alleys, where they abut the channel, were bulkheaded by the County.

As set forth in Section 3, new development shall be required to comply with flood plain regulations and the County's study.

## **2.5 Infrastructure and Utilities**

### **Infrastructure**

Public facilities analyses of infrastructure requirements and detailed design, construction and phasing will be completed as required by the City of Huntington Beach Department of Public Works. Future development within the Specific Plan area will be responsible for the

construction of public facilities improvements concurrent with individual project development, subject to review and approval of the Director of Public Works.

#### *Water System*

The City of Huntington Beach has provided domestic water to the Sunset Beach area since fiscal year 1964/65, when it purchased the Sunset Beach Water District. Upon annexation, domestic water for the Sunset Beach area will continue to be provided by the Public Works Water Division of the City of Huntington Beach. The Water Division provides water to all of the customers within the City of Huntington Beach.

The Water Division has use of both underground and imported water sources to service the area. The underground supply comes from nine existing wells, and imported water delivered to the City of Huntington Beach by the Metropolitan Water District (MWD) at three locations. The Specific Plan area is part of the City's Master Plan for Water Service.

All water improvements shall be designed to the City of Huntington Beach water standards for future City acceptance and approval. Locations of fire hydrants and apparatuses will be reviewed for each project by the Fire Department and Water Division of the City of Huntington Beach to ensure adequate fire flow and pressure.

#### *Sewer System*

The Sunset Beach Sanitary District, formed in 1930, is responsible for the review and approval of the collection of wastewater within the project area, and the Orange County Sanitation District (OCSD) is responsible for the treatment of wastewater. Upon annexation, wastewater service will continue to be provided by the Sunset Beach Sanitary District.

#### *Storm Drainage*

The City of Huntington Beach and the Orange County Public Works/Flood Control Section are the agencies responsible for the flood control system in the vicinity of Sunset Beach. New drainage facilities constructed within the Specific Plan area will be maintained either by the City or privately maintained by a homeowner's association. Any drainage facilities designed or sized to accommodate upstream drainage will be designated as public facilities and maintained by the City.

~~Due to the high groundwater conditions, only~~ Only drainage that is required by City of Huntington Beach Codes and the ordinances of the Sunset Beach Sanitary District shall be drained into the Sunset Beach Sanitary System lines. All other drainage, such as rain water, irrigation water and other on-site drainage shall drain to the public street or public storm drainage system. All development shall meet the provisions of this requirement.

Where new storm drains are necessary to accommodate development, they shall be sited and designed to discharge in the least environmentally sensitive location. Storm Drains and/or Catch Basins shall be marked "No dumping- drains to Ocean" or with other appropriate local insignia.

### *Water Quality*

The City of Huntington Beach is a coastal community noted for its beaches, which attract numerous people to the area. The beaches support the City's economy and the well being of the City's economy is dependent on maintaining quality of coastal waters.

The flow of untreated stormwater and urban runoff can have an adverse impact on the quality of coastal waters since storm drains eventually discharge into the ocean. The City's Coastal Element notes that the City can upgrade water quality by controlling pollutants that enter coastal waters through urban runoff. The City's Coastal Element contains the water and marine resource policies requiring that measures be implemented to mitigate the adverse impacts of human activities on the marine environment. To protect coastal waters, the following water quality measures shall be implemented in conjunction with any new development- or significant redevelopment:

- All new development and significant redevelopment, shall comply with the State of California, California Regional Water Quality Control Board Santa Ana Region, Order No. R8-2009-0030 (NPDES No. CAS 618030) or subsequent permits. Projects shall comply with the Orange County Drainage Area Management Plan (DAMP), all applicable local ordinances and applicable provisions of the NPDES General Permit for Storm Water Discharges Associated with Construction Activity issued by the State Water Resources Control Board (State Board Order No. 2009-0009-DWQ), and any subsequent amendments, revisions, or re-issuances thereof.
- Prior to issuance of a Coastal Development Permit (CDP), a Preliminary Water Quality Management Plan (WQMP), shall be submitted for review by the Public Works Department, and shall be based on consistency with the provisions herein. New development and significant redevelopment projects shall incorporate Low Impact Development (LID) principles, design elements, and/or Best Management Practices (BMPs) that will effectively prevent runoff contamination, and minimize runoff volume leaving the site in the developed condition, to the greatest extent feasible.
- Prior to issuance of a Grading or Building Permit, a final WQMP shall be submitted for review and acceptance by the Public Works Department.
- All projects that include dewatering shall obtain coverage under the State of California, California Regional Water Quality Control Board Santa Ana Region de minimis permit, currently Order No. R8-2009-0003 (NPDES No. CAG998001) and subsequent iterations of this permit.

### **Utilities**

There are several public utility service providers in the Sunset Beach Specific Plan area as described below. Adequate facilities exist for the service needs of the area.

#### *Electricity*

Electrical service to the area is provided by the Southern California Edison Company. Existing transmission and distribution lines are adequate to service current and potential future needs.

*Natural Gas*

Natural gas service in the Specific Plan area is provided by the Southern California Gas Company. Adequate facilities exist for current and potential future needs.

*Telephone*

Telephone service in the Specific Plan area is provided by Verizon.

*Cable Television*

Cable television service within Sunset Beach is provided by Time Warner Cable.

*Solid Waste Disposal*

Rainbow Disposal Company currently provides solid waste disposal services for the area. An adequate level of service can be maintained based on anticipated demand for the Company's service area.



### **3. Development Standards**

#### **3.1 Purpose**

The Sunset Beach Development Standards will be applied to individual development in the Sunset Beach area and are adopted for the purpose of promoting the health, safety and general welfare of the Sunset Beach community and the City of Huntington Beach. More specifically, these regulations are intended to provide the standards, criteria and procedures necessary to achieve the objectives below.

- Provide maximum opportunities for community design and site planning, consistent with orderly development and protection of sensitive and natural resources, with a logical and timely sequence of community and government review and input.
- Improve the visual image and general aesthetics of Sunset Beach.
- Implement the applicable policies of the California Coastal Act and preserve, protect and enhance the Coastal Zone resources of particular value to the Sunset Beach community, City of Huntington Beach, and the State of California.
- Implement the intent and purpose of the Sunset Beach Specific Plan.

#### **3.2 General Provisions**

The provisions herein shall govern the design and development of the Sunset Beach Specific Plan area. Standards and/or criteria for development and activities not specifically addressed in this Specific Plan will require referral to the current provisions of the Huntington Beach Zoning and Subdivision Ordinance and Municipal Code. Whenever an activity has not been specifically listed as being permitted in a particular District of the Specific Plan, it shall be the duty of the Planning and Building Director to determine if it is consistent with the intent of this Specific Plan and compatible with other permitted uses. All development activity within the Sunset Beach Specific Plan area will be subject to the following general conditions and requirements, as noted, as well as the Land Use Plan Guidelines in Section 2.2.

- 3.2.1 Any conditions, requirements, or standards, indicated graphically or in writing, that are a part of an approved subdivision map, Coastal Development Permit or variance, approved in compliance with these regulations shall have the same force and effect as these regulations. Any use or development established as a result of such approved permit but not in compliance with all approved conditions shall be in violation of the Sunset Beach Development Standards and City of Huntington Beach Zoning and Subdivision Ordinance.
- 3.2.2 All construction and development within the Sunset Beach Specific Plan area shall comply with applicable provisions of federal and state regulations.
- 3.2.3 All construction and development within the Sunset Beach Specific Plan area shall comply with applicable provisions of the Uniform Building Code and other various

Mechanical, Electrical, Plumbing and Housing Codes related thereto as well as the Municipal Code of the City of Huntington Beach.

- 3.2.4 All construction and development shall comply with the regulations contained in Chapter 17.56 of the Huntington Beach Municipal Code (Fire Code) and City Specifications, except Section 3.3.4 2e and f of this Specific Plan shall prevail unless wider drive aisles, per City Specifications, can reasonably be accommodated.
- 3.2.5 In these land use development standards, for all regulatory areas, when more than one description may apply to a given use, the more specific description shall determine if a use is allowed, or prohibited.
- 3.2.6 Terms not specifically defined in the Specific Plan shall have the same definition as used in the City of Huntington Beach Zoning and Subdivision Ordinance. When consistent with the context, words used in the present tense include the future tense; words used in a singular number include the plural number. The word "shall" is always mandatory and the word "may" is permissive.
- 3.2.7 Pacific Coast Highway, as it passes through the Sunset Beach Specific Plan is designated a Scenic Highway.
- 3.2.8 All legal residential building sites in existence on the date of initial adoption by the Board of Supervisors, of the Sunset Beach LCP on March 30, 1983, shall be permitted two dwelling units per site, unless approved otherwise. New building sites created by a tract map, parcel map, lot consolidation, or any other legal method are also limited to two dwelling units per building site.
- 3.2.9 Development projects shall be required to install adequate utility services necessary to serve the development. Utility systems shall be designed to conserve the use of electrical energy and natural resources
- 3.2.10 Due to the high groundwater conditions, only drainage that is required by City of Huntington Beach Codes and Ordinances, and the ordinances of the Sunset Beach Sanitary District, shall be drained into the Sunset Beach Sanitary System lines. All other drainage, such as rain water, irrigation water and other on-site drainage shall drain to the public street or public storm drainage system. All development shall meet the provisions of this requirement.
- 3.2.11 Temporary special community events, such as parades, pageants, community fairs, athletic contests, carnivals, and other similar uses, may be permitted in any area in the Sunset Beach Specific Plan area by approval of the Director of Planning and Building, subject to applicable permits.
- 3.2.12 Emergency vehicle access to the beach shall be at the ocean end of the signalized streets of Anderson, 19th Street, Broadway, 5th Street and Warner Avenue only. The center of such street ends shall be kept open and free at all times. All other side street ends opening on the beach may be developed for additional public parking. Such

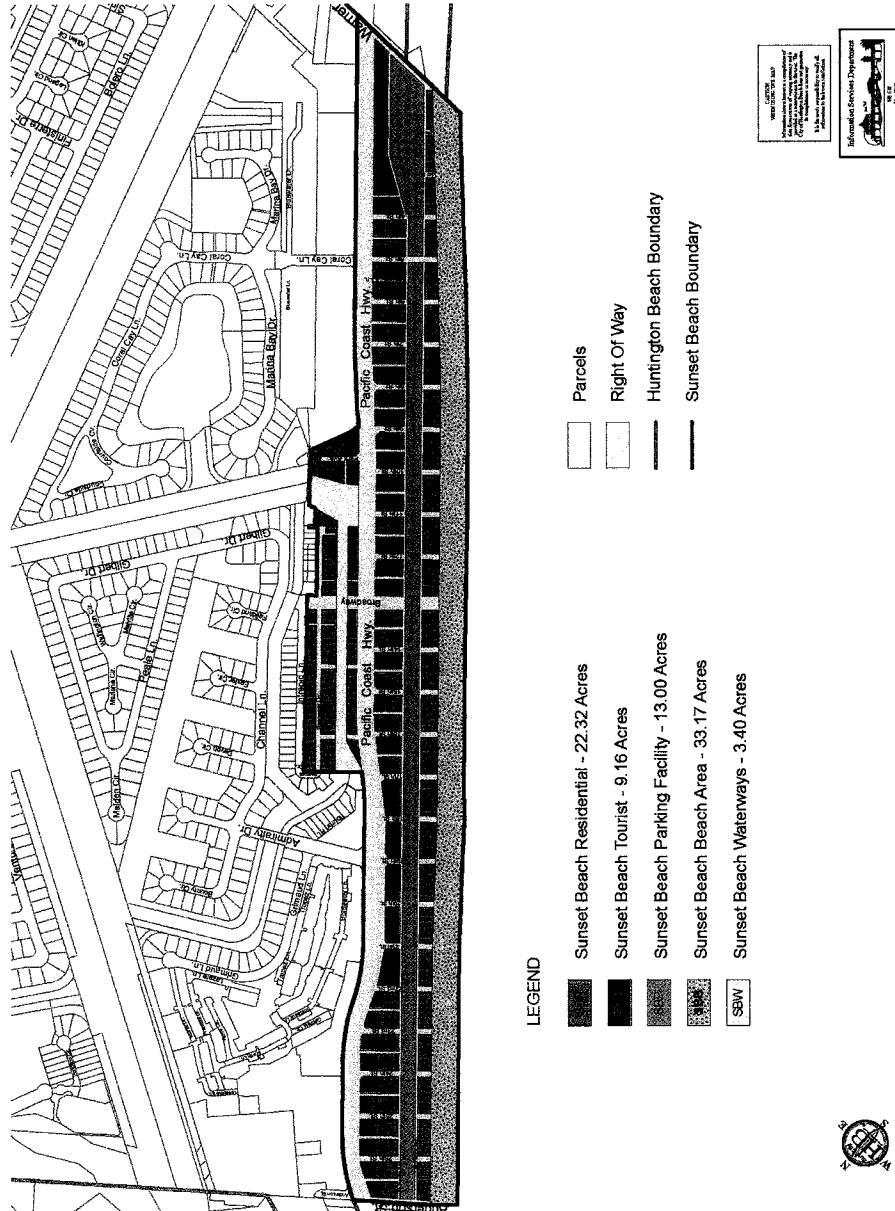
additional public parking development shall not extend beyond the rear (oceanward) property line of the adjacent ocean front private property.

- 3.2.13 Park lands and park fees required for new development shall be in compliance with all applicable regulations of the City of Huntington Beach Zoning and Subdivision Ordinance.
- 3.2.14 Any building site abutting Pacific Coast Highway shall be required to provide a corner cut-off of 17 feet prior to the issuance of any building permits unless otherwise provided for by an approved Coastal Development Permit.
- 3.2.15 Required street and highway dedication and improvements per the City of Huntington Beach Zoning and Subdivision Ordinance shall not be applicable to the Sunset Beach Specific Plan area except for those properties abutting Pacific Coast Highway.
- 3.2.16 Building height is the vertical distance above the bottom elevation to the top of the structure (maximum height). This is established by enclosing the structure with an imaginary line five feet outside of the perimeter of the structure, or at the property line if it is less than five feet from the structure, and determining the average elevation from the imaginary line.

### **3.3 Regulations**

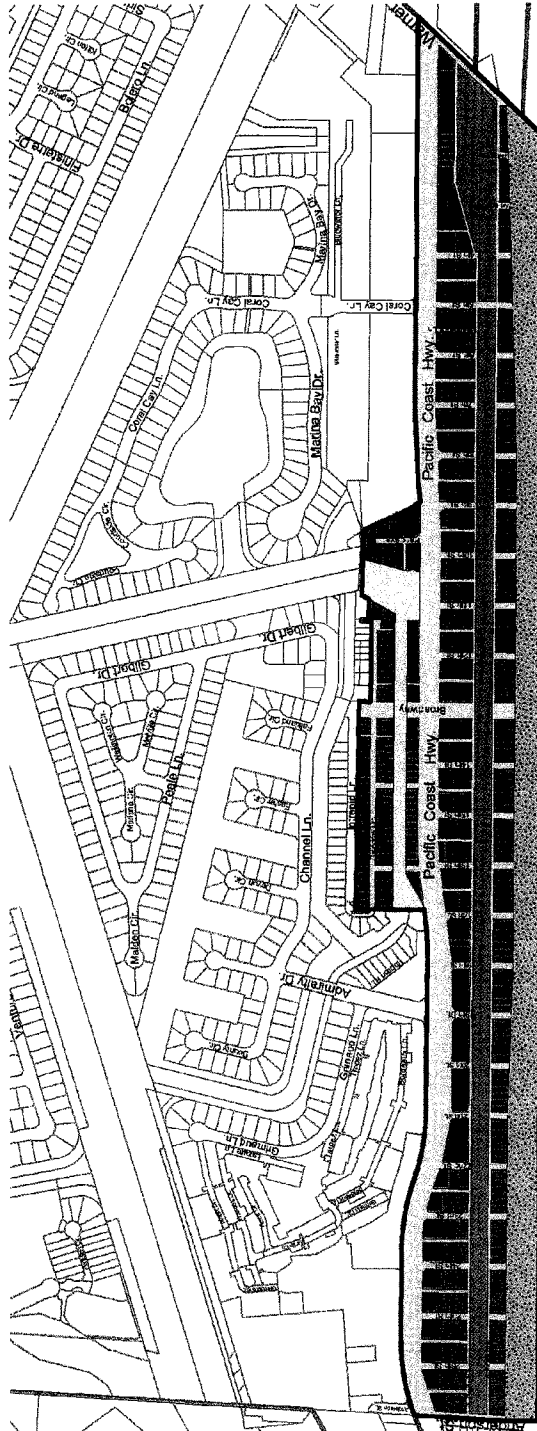
The Sunset Beach Specific Plan contains five districts, as depicted in Exhibit 3.1, Specific Plan Districts. The boundaries of these districts coincide with those of the Land Use Plan. The names for the Specific Plan districts are the same as used in the previous County SBSP/LCP. The regulations for each district follow.

**This figure replaced to reflect updated acreage number for the**



**Exhibit 3.1 Specific Plan Districts**

**Sunset Beach Beach Area – see following page**



LEGEND

- |  |   |  |                           |
|--|---|--|---------------------------|
|  | Sunset Beach Residential - 22.32 Acres      |  | Parcels                   |
|  | Sunset Beach Tourist - 9.16 Acres           |  | Right Of Way              |
|  | Sunset Beach Parking Facility - 13.00 Acres |  | Huntington Beach Boundary |
|  | Sunset Beach Beach Area - 57.74 Acres       |  | Sunset Beach Boundary     |
|  | Sunset Beach Waterways - 3.40 Acres         |  |                           |

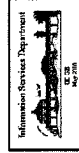
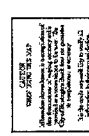


Exhibit 3.1 Specific Plan Districts

### **3.3.1 Sunset Beach Residential**

#### **A. Purpose**

The Sunset Beach Residential (SBR) District is intended to permit the establishment and maintenance of high density residential neighborhoods. It is intended that each residential structure be independent from adjoining property by setbacks. Only those uses which are complementary to and can exist in harmony with the residential uses are permitted.

#### **B. Principal Permitted Uses**

The following principal uses are permitted subject to the approval of a Coastal Development Permit by the Planning Commission.

1. Duplex dwellings
2. Single-family dwellings and single family mobile homes.
3. Residential Condominium, stock cooperative, and community apartment projects.
4. Residential Condominium conversions.
5. Additions to lawful nonconforming residential uses. Additions must comply with all applicable development standards.

#### **C. Other Permitted Uses**

Other permitted uses subject to a Coastal Development Permit by the Planning Commission.

1. Community recreation center.
2. Community service center.
3. Community facility.
4. Public Safety Facilities.
5. Parks and playgrounds (non-commercial).
6. Public service facilities.

#### **D. Accessory Uses and Structures Permitted**

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Limited Day Care, Limited Residential Care, and Large Family Day Care, as defined by the HBZSO. Large Family Day Care shall require neighborhood notification pursuant to Section 241.24 of the HBZSO.

2. Fences and walls per Section 3.3.5 except as modified by special provisions set out in Section F.3.c "Building sites between Pacific Coast Highway and the Sunset Channel and those building sites fronting on Park Avenue" and Section F.3.d "Building sites between Bay View Drive and Sunset Channel".
3. Garages and/or carports per Sections 3.3.4 and 3.3.7.
4. Home occupations per the HBZSO.
5. Noncommercial keeping of pets and animals per the City of Huntington Beach Municipal Code.
6. Pools and spas, except due to the limited sewerage capacity, no such swimming pool or spa over 1000 gallons shall be connected to, or drained into, the public sewer system.
7. Signs per Section 3.3.6, except business signs which are prohibited.
8. Tennis courts.
9. Detached accessory buildings in compliance with Section 3.3.7.

**E. Prohibited Uses.**

1. All uses not permitted above are prohibited.
2. The storage of vehicles, equipment or products related to a commercial activity.
3. Community ~~care and Human Service~~ facilities ~~serving more than 12 persons.~~

**F. Site Development Standards**

The establishment, operation and maintenance of the uses permitted by these district regulations shall be in compliance with the following:

1. Building Height – Up to three stories and not more than 35 feet maximum as measured from the centerline of the frontage street for structures in the FP-3 District or the minimum bottom elevation (see 2 below) for structures outside the FP-3 District. Such height and story calculations shall include mezzanines, patio roof covers, rooftop decks and attics with ceiling heights over six feet; however, a rooftop deck shall not count as a story.
2. Bottom elevation – for structures outside the FP-3 District, the finished floor elevation for new construction should be a minimum of two feet above the centerline of the frontage street or two feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detailed hydrologic and hydraulic calculation, that the proposed finished floor elevation is protected from being flooded from a 100-year flood in a manner meeting the approval of the Director of Planning and Building.

Front setbacks shall be measured from the ultimate right-of-way line.

a. Beach Front Building Sites

Front setback (street)	5 feet on ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors, except in front of garages where 3 feet is required.
Side setbacks adjacent to other building sites.	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (on the sand)	None Required.

b. Building sites between North Pacific Ave. and Pacific ~~Street~~ Coast Highway

Front setback (street)	5 feet on ground floor, 6 inches above ground floor.
Side setbacks adjacent <u>to streets</u> <u>and alleys</u> -	3 feet on ground floor except in front of garages where 5 feet is required; 6 inches above ground floor.
Side setbacks adjacent other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback	5 feet on ground floor, 6 inches above ground floor.

c. Building Sites between Pacific Coast Highway and the Sunset channel and those building sites fronting on Park Ave., PCH and abutting the Channel.

Front setback (street)	5 feet ground floor, 6 inches above ground floor.
Side setbacks adjacent to street and alleys	6 inches all floors except in front of garages where 3 feet is required.
Side setbacks adjacent to other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (channel)	10 feet from bulkhead or rear property line, whichever is more restrictive on the ground floor, 5 feet above ground floor.



Rear setback (channel)	10 feet from bulkhead or rear property line, whichever is more restrictive on the ground floor, 5 feet above ground floor.
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See Section 3.3.3.C (Sunset Beach Waterways) for dock, gangway, and landing criteria.

No structure higher than 12 inches from top of the bulkhead shall be permitted in the required rear setback except for a five foot security fence of open weave design to a maximum of 35 percent opaque. This height shall be measured from the top of the concrete bond beam of the existing bulkhead.

d. Building Sites between Bay View Drive and Sunset Channel

Front setback (street)	5 feet ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors except in front of garages where 3 feet is required/
Side setbacks adjacent to other building sites	3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.
Rear setback (channel)	10 feet from bulkhead or rear property line, whichever is more restrictive on the ground floor, 10 feet on all other floors except that a balcony deck may extend 5 feet into the rear setback measured from the required building setback.

See Section 3.3.3.C (Sunset Beach Waterways) for dock, gangway, and landing criteria.

No structure higher than 12 inches from top of the bulkhead shall be permitted in the required rear setback except for a five foot security fence of open weave design to a maximum of 35 percent opaque. This height shall be measured from the top of the concrete bond beam of the existing bulkhead.

e. Building Sites between Bay View Drive and Intrepid Lane

Front setback (Bay View)	5 feet ground floor, 6 inches above ground floor.
Side setbacks adjacent to streets and alleys	6 inches all floors except in front of garages where 3 feet is required.

Side setbacks adjacent to other building sites

3 feet all floors, except for decks providing access on ground floor where 2 feet is allowed.

Rear setback (Intrepid Lane)

5 feet all floors except that an open balcony deck on the second or third floor to 6 inches from the property line.

4. Open Areas.

New residential units within areas b) and e) above shall include a minimum 90 square feet of open area by providing for 1) rooftop patios, 2) balconies or decks and/or 3) ground floor yards exclusive of required setback areas. Any such open area must have a minimum dimension of four feet six inches, shall be contiguous to the living area, and shall not face onto any adjoining lot.

5. All building plans shall provide an area for the storage of the minimum required number and size trash cans per dwelling unit as required by the trash removal service. This shall be concealed from public view.
6. Off-street parking shall be in conformance with Section 3.3.4 of the Sunset Beach Specific Plan Regulations. Additional parking shall not be required when additions, not exceeding 50 percent of the floor area of the total structure, are made to lawfully nonconforming residential uses.
7. All roof structures, such as air conditioning units, elevator equipment or other roof mounted appurtenances, shall be screened from view and shall not exceed the overall 35 foot height limit, except chimneys and other ventilation structures not to individually exceed the dimensions of two feet by two feet per flue and not to exceed the height of the building by more than 10 percent.

### **3.3.2 Sunset Beach Tourists**

#### **A. Purpose**

The Sunset Beach Tourist (SBT) District is intended to permit the establishment, operation and maintenance of a commercial area that will supply the needs of tourists, visitors, and the local community.

Whenever the occupancy or use of any premise is changed to a different use or the existing use is altered, enlarged, expanded or intensified, parking to meet the requirements of this section shall be provided for the new use or occupancy. This provision shall not apply to the addition of rooms or other alterations to lawful nonconforming residential dwellings in a commercial zone that do not increase the total floor area more than 50 percent.

As an aid in determining the amount of intensification occurring since 1985, the document prepared by the LCP Board on November 9, 1985, IDENTIFICATION OF PROPERTY ZONED COMMERCIAL ALONG PACIFIC COAST HIGHWAY IN SUNSET BEACH, shall be used as a reference document.

**B. Principal Permitted Uses**

The following principal uses are permitted subject to the approval of a Coastal Development Permit by the Planning Commission.

1. Athletic/health/recreational clubs and centers.
2. Automobile service stations.
3. Bars, night clubs, and cocktail lounges.
4. Beauty shop or barber shop.
5. Parks and playgrounds.
6. Restaurants, drive-ins, and fast food establishment.
7. Other retail and service business associated with the needs of tourists, visitors, and the local community.
8. Hotels, motels.
9. Time-share projects.
10. Commercial boat docks.
11. Bed and breakfast.

**C. Other Permitted Uses**

Other permitted uses subject to a Coastal Development Permit by the Planning Commission.

1. Civic and government uses.
2. Community facility.
3. Public/private utility buildings and structures.
4. Residential Uses:
  - a. Located above the first floor of a Principal Permitted Use.
  - b. Parking for both the primary commercial uses and the residential use conforms to Section 3.3.4 of these regulations.
  - c. Such residential use shall not exceed 50 percent of the gross square footage of the entire structure. Additions to lawful nonconforming residential uses are permitted if their cost does not exceed 50 percent of the market value of the residential use.

**D. Temporary Uses Permitted**

Seasonal Sales only shall be allowed per the City of Huntington Beach Zoning and Subdivision Ordinance Section 230.86.

**E. Accessory Uses Permitted**

Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Garages and carports per Sections 3.3.4 and 3.3.7.
2. Fences and walls per Section 3.3.5.
3. Parking structures.
4. Outdoor dining areas.
5. Signs per Section 3.3.6.

**F. Prohibited Uses**

1. All uses not permitted above are prohibited.
2. Wholesale businesses.
3. Outdoor advertising signs.
4. Sale of food or beverages from vehicles or push carts.
5. Firework sales.
6. Adult entertainment businesses.
7. All Temporary Uses whether under cover or in the open, except as provided in 3.3.3.D above and in General Provision No. 3.2.10.
8. Medical marijuana businesses.
9. Methadone related businesses.
10. Residential Alcohol Recovery, General, as defined by the HBZSO.
- 7.11. Residential Drug Recovery and Drug Abuse Centers, as defined by the HBZSO

**G. Site Development Standards**

The establishment, operation, and maintenance of the uses permitted by this regulation shall be in compliance with the following provisions:

1. Building height – 35 feet maximum as measured from the minimum bottom elevation (see 2 below).
2. Bottom elevation – the finished floor elevation for new construction should be a minimum of two feet above the centerline of the frontage street or two feet above the highest perimeter curb elevation of the property, whichever is greater, unless the applicant can prove, using detail hydrologic and hydraulic calculation, that the proposed finished floor

elevation has protection from being flooded from a 100-year flood in a manner of meeting the approval of the ~~Manager, EMA/Subdivision~~ Planning and Building Director.

Those building sites abutting the Sunset Beach Waterways District shall have the additional requirement that the finished floor elevation also be set a minimum of two feet above the bulkhead.

3. Setbacks – Except as noted in a) & b) below, there shall be no required setbacks in the Sunset Beach Tourist District.
  - a. A three foot setback is required for all structures adjacent to SBR district properties.
  - b. Service stations per the City of Huntington Beach Zoning and Subdivision Ordinance.
4. All roof structures, such as air conditioning units, elevator equipment, or other roof mounted appurtenances, shall be screened from view and shall not exceed the overall 35 foot height limit, except chimneys and other ventilation structures not to individually exceed dimensions of two feet by two feet per flue and not to exceed the height of the building by more than 10 percent.
5. All lighting, both exterior and interior, shall be designed and located to confine direct rays to the building site.
6. All storage in cartons, containers, or trash bins shall be enclosed and shielded from view within a building or by a fence/wall not less than six feet in height. If unroofed, trash bins shall have lids.
7. Off-street parking. Per Section 3.3.4 herein.

**H. Lawful nonconforming residential use of property:**

Should any existing lawful nonconforming residential use presently on property zoned commercial be destroyed such may be rebuilt providing it conforms to the provisions of the residential uses and standards contained in the SBR District.

**3.3.3 Public Facilities**

**A. Purpose**

The Public Facilities District, including the Beach Area (SBB), Parking Facility (SBP), and Waterways (SBW) districts, is intended to permit the establishment and maintenance of community services in locations that will best service the uses in Sunset Beach. It is intended that these community facilities be compatible with the other land uses and included beachfront and parks, public parking facilities, and inland waterways.

**B. Sunset Beach Beach Area (SBB)**

1. To protect beachfront residences and maintain public and private ocean views and access and to preserve the unique public recreational character of Sunset Beach, the existing beach and sand area shall be maintained in their present form.

2. The 27 existing public access points to the beach delineated in the Sunset Beach Land Use Plan shall be retained and maintained in a manner promoting their use by the general public.
3. From the ocean front property line to the ocean there shall be no roadway, bike path, hiking trail, or parking facility.
4. Permanent above-ground structures on the beach and sand areas shall be prohibited, except for:
  - a. Lifeguard towers
  - b. Other facilities necessary for public safety.

~~6.5.~~ Temporary uses and structures accessory to residential development shall be permitted within the 20 foot strip of beach property on-contiguous to SBR properties subject to a Coastal Development Permit and a Public Property Encroachment Permit. Encroachments shall be limited to temporary/removable deck units, the top elevation of which shall not exceed four feet above the street level of South Pacific Avenue; landscaping not exceeding 30 inches in height above patio/deck surface at full growth; and portable furniture.

~~5.6.~~ Fire rings or any other fire on the beach shall be prohibited.

~~6.7.~~ There shall be no advertising of any nature on the beach and sand areas.

~~7.8.~~ No governmental or private agency shall construct or cause to be constructed any structure including but not limited to jetties, groins, berms, etc., that may alter the natural shoreline processes such as wave action, channel depth, or general beach configuration except when such protective structures are required to protect existing structures or public beaches in danger from erosion.

~~8.9.~~ Temporary recreational facilities for general public use may be permitted subject to a special events permits from the City of Huntington Beach. Such facilities shall be located at least 75 feet from residential property lines unless the facility is directly in front of the property of the applicant for the encroachment permit.

### **C. Sunset Beach Parking Facility (SBP)**

1. Parking control shall be in accordance with the City of Huntington Beach Municipal Code.
2. The present general configuration and facilities shall be retained.
3. There shall be no overhead or underground parking facility.
4. There shall be no parking meters or other mechanical control devices.
5. The City shall consult with the Sunset Beach LCP Review Board for recommendation before any facilities are changed or expanded or additional signs installed.

6. There shall be no advertising of any nature.

#### **D. Sunset Beach Waterways (SBW)**

1. For greater use by the general public, all channels and public waterways in existence as of February 2, 1965 (on which date, by Resolution 65-112, the Orange County Board of Supervisors established the channel widths) shall be maintained and operated as public waterways, subject to Sections 5 through 11 of the Codified Ordinances and Codes governing County waterways. They shall be properly bulkheaded to prevent erosion and resultant land filling, and dredged to maintain navigable depth and regulated to prevent impediment of channel navigation (as described in Sections 2-2-63 and 2-2-65 of the Orange County Codified Ordinance). All navigable channels shall be retained and maintained at the present width, no part of the channels shall be filled, and no encroachments shall be allowed except for bulkheads, gangways, and docks as provided in item number 2 below.

2. In addition to a Coastal Development Permit from the State, a ~~Public Property Encroachment~~ Harbor Permit (encroachment permit) is required for all existing and proposed bulkheads, gangways, and docks within the Sunset Beach Waterways. Bulkheads not within the SBW will require evidence of sound construction (building permit) concurrent with the application for an ~~encroachment~~ a harbor permit for dock and gangway attachments. The right to said permit shall be attached to the property and run with the ownership of the bulkhead frontage.

As part of the ~~encroachment~~ harbor permit application process, a determination will be made for existing facilities as to whether they are in a state of good repair or a state of disrepair. Docks with inadequate floats resulting in partial submersion, sinking, or listing, broken or inappropriate decking material, inadequate supports or improper fastening devices (such as PVC pipe), and illegal and unsafe electrical wiring shall be deemed to be in a state of disrepair. All existing bulkheads, gangways, and docks will require an ~~encroachment~~ a harbor permit and be brought into a state of good repair within two years of the adoption of amendment dated August 31, 1983.

All applications for an ~~encroachment~~ a harbor permit shall be submitted to the Sunset Beach LCP Board for their review and recommendations prior to the issuance of said permit.

3. To provide greater public use of Sunset Channel from 11<sup>th</sup> Street to the northwest end of the channel, the channel encroachment line shall be 20 feet measured from bulkhead face (See Exhibit 3.2, Permitted Encroachment Areas Within Sunset Beach Channel and Exhibit 3.3, Criteria for Sunset Beach Channel Encroachments). Side setbacks for docks shall be two feet from each property line. This provision is intended to replace the pier lines set in Orange County Board of Supervisors Resolution No. 65-112. No deck or structure shall extend over or in front of the bulkhead in any channel, except a four foot by five foot landing or brow shall be permitted to extend past the bulkhead for access to a gangway to docks.

4. To provide maximum public use of inland waterways in the channels running at 90 degrees to Pacific Coast Highway, the channel encroachment line shall be at 40 feet as measured from lot property lines existing prior to January 1, 1965 (see Exhibit 3.2, Permitted Encroachment Areas Within Sunset Beach Channel).
5. All bulkheads, gangways, and docks encroaching on public waterways shall be maintained in a state of good repair at all times. Failure to repair, upon written notice of the Director of Public Works shall be cause for revocation of ~~encroachment~~the harbor permit.
6. All ~~encroachment~~harbor permits are subject to inspection by City of Huntington Beach or other regulatory authorities.
7. To meet visitor serving needs, the 11<sup>th</sup> Street public beach shall be retained in its present general configuration, or if reconfigured, shall provide equivalent recreational opportunities and shall be properly maintained. Small boats may be launched at the 11<sup>th</sup> Street beach provided there is no use of trailers, sand dollies, or mechanical launching equipment. The launching of boats is specifically prohibited at all other publicly owned properties adjacent to Sunset Channel.
8. Any vessel that is occupied with the intent of being used as a residence is prohibited from using dock facilities or mooring overnight within Sunset Beach.
9. The renting or leasing of docks adjacent to private residences is permitted provided that one nine foot by 18 foot off-street parking space is provided for each boat for which mooring space is rented or leased.



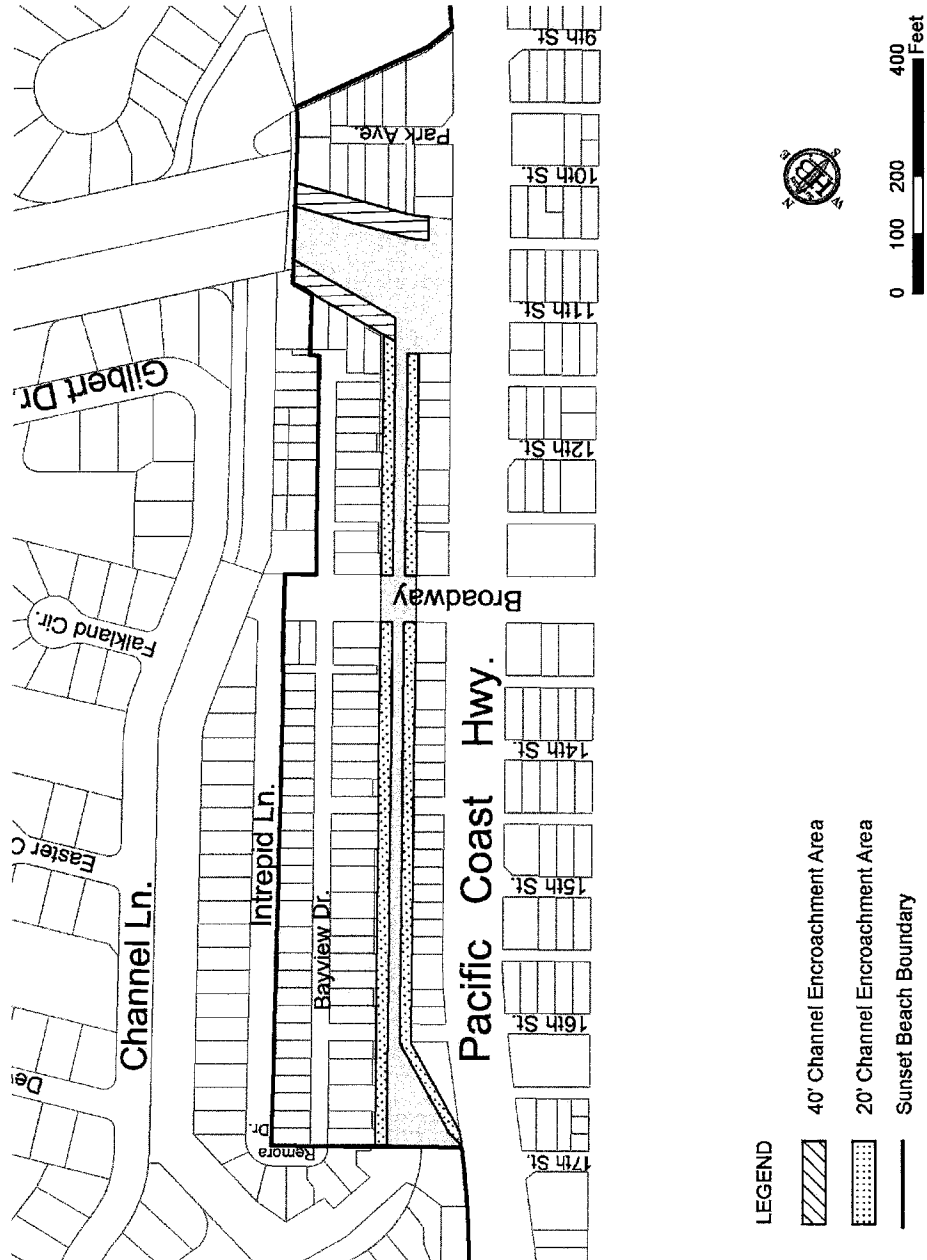
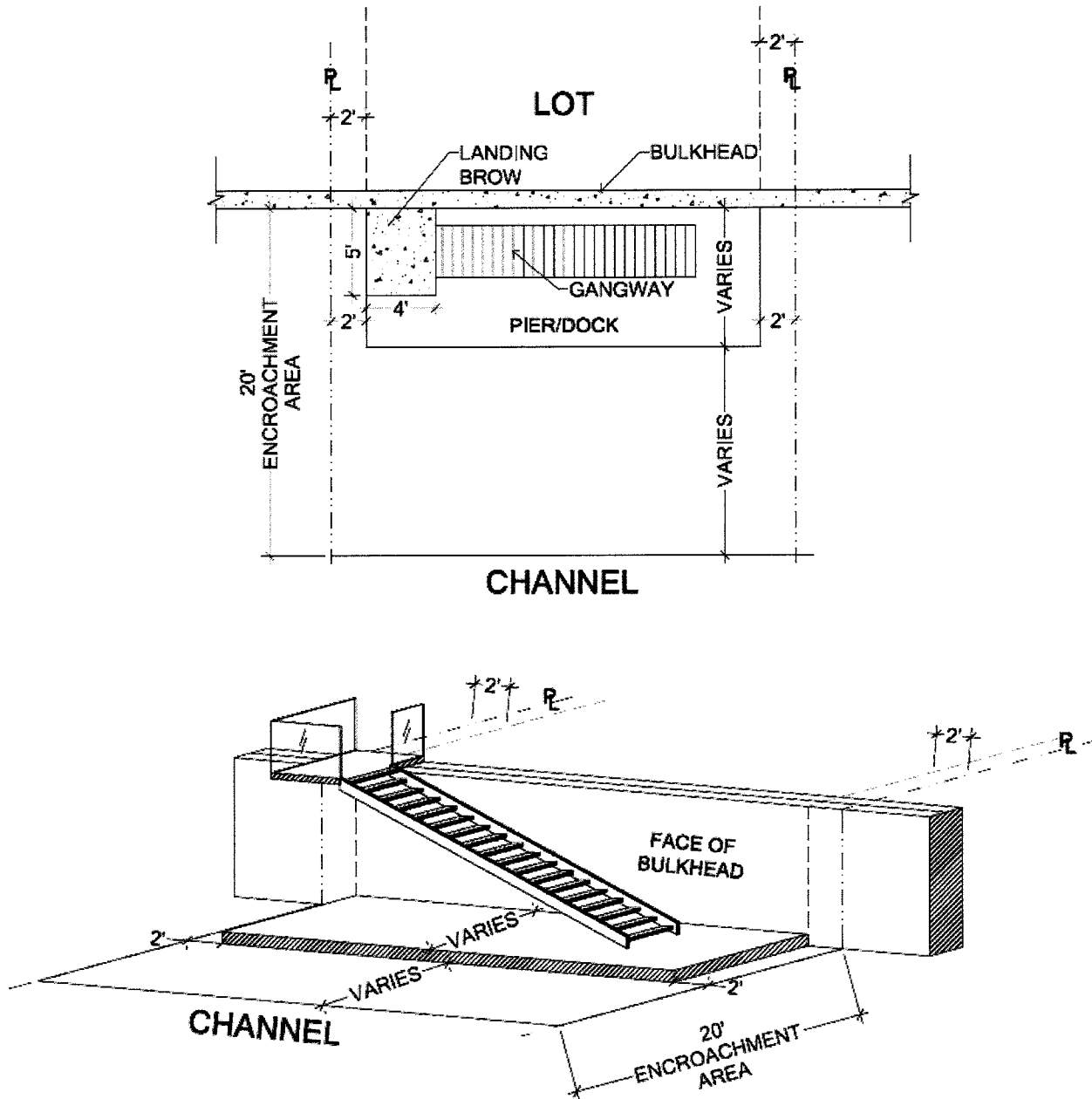


Exhibit 3.2 Permitted Encroachment Areas Within Sunset Beach

Note: Dimensions shown are maximum allowable for landing brow and encroachment area, and minimum allowable for side setback from each property line. This drawing is presented as general criteria for the installation of dock facilities and shall not be used in lieu of plans and specifications per the City of Huntington Beach Municipal Code.



**Exhibit 3.3 Criteria For Sunset Beach Channel Encroachments**